

**EIGHTY-FIFTH GENERAL ASSEMBLY
2013 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

APRIL 24, 2013

**Senate Amendment to
HOUSE FILE 355**

H-1367

1 Amend House File 355, as passed by the House, as
2 follows:
3 1. Page 1, line 14, after <department.> by
4 inserting <An applicant shall not be eligible for
5 electronic renewal of a driver's license if the most
6 recent previous renewal of the applicant's driver's
7 license occurred electronically.>
8 2. Page 1, after line 19 by inserting:
9 <Sec. _____. 2013 Iowa Acts, Senate File 224, if
10 enacted, is amended by adding the following new
11 section:
12 SEC. _____. TRANSITION FROM FIVE-YEAR TO EIGHT-YEAR
13 RENEWAL PERIODS. To implement section 321.190,
14 subsection 1, paragraph "d", as amended in this Act,
15 and section 321.196, subsection 1, as amended in this
16 Act, the department of transportation may provide for a
17 transition from five-year to eight-year renewal periods
18 for driver's licenses and nonoperator's identification
19 cards. During the transition, the department may issue
20 driver's licenses and nonoperator's identification
21 cards valid for periods of five, six, seven, or eight
22 years to equalize renewal periods and applicants over
23 succeeding years.>
24 3. Title page, line 1, after <to> by inserting
25 <driver's licenses, including>
26 4. Title page, line 2, after <date> by inserting
27 <and transition>
28 5. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1367 FILED APRIL 23, 2013

**Senate Amendment to
HOUSE FILE 487**

H-1368

1 Amend House File 487, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 25, through page 2,
4 line 26.
5 2. Title page, by striking lines 1 through 3 and
6 inserting <An Act relating to a manufactured or mobile
7 home retailer's application to a county treasurer
8 for a certificate of title for a used mobile home or
9 manufactured home.>
10 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1368 FILED APRIL 23, 2013

HOUSE FILE 602

H-1356

1 Amend the Senate amendment, H-1283, to House File
2 602, as passed by the House, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting:

5 <____. By striking page 5, line 2, through page 8,
6 line 30, and inserting:

7 <Sec. ____ ROAD USE TAX FUND. There is
8 appropriated from the road use tax fund created in
9 section 312.1 to the department of transportation for
10 the fiscal year beginning July 1, 2014, and ending June
11 30, 2015, the following amounts, or so much thereof as
12 is necessary, to be used for the purposes designated:

13 1. For the payment of costs associated with the
14 production of driver's licenses, as defined in section
15 321.1, subsection 20A:

16 \$ 1,938,000

17 Notwithstanding section 8.33, moneys appropriated in
18 this subsection that remain unencumbered or unobligated
19 at the close of the fiscal year shall not revert but
20 shall remain available for expenditure for the purposes
21 specified in this subsection until the close of the
22 succeeding fiscal year.

23 2. For salaries, support, maintenance, and
24 miscellaneous purposes:

25 a. Operations:

26 \$ 3,192,480

27 b. Planning:

28 \$ 207,000

29 c. Motor vehicles:

30 \$ 16,960,500

31 d. Performance and technology:

32 \$ 230,020

33 3. For payments to the department of administrative
34 services for utility services:

35 \$ 107,500

36 4. Unemployment compensation:

37 \$ 3,500

38 5. For payments to the department of administrative
39 services for paying workers' compensation claims under
40 chapter 85 on behalf of employees of the department of
41 transportation:

42 \$ 57,000

43 6. For payment to the general fund of the state for
44 indirect cost recoveries:

45 \$ 39,000

46 7. For reimbursement to the auditor of state for
47 audit expenses as provided in section 11.5B:

48 \$ 33,660

49 8. For automation, telecommunications, and related
50 costs associated with the county issuance of driver's

H-1356

1 licenses and vehicle registrations and titles:
2 \$ 703,000
3 9. For transfer to the department of public safety
4 for operating a system providing toll-free telephone
5 road and weather conditions information:
6 \$ 50,000
7 10. For costs associated with the participation in
8 the Mississippi river parkway commission:
9 \$ 20,000
10 11. For motor vehicle division field facility
11 maintenance projects at various locations:
12 \$ 100,000
13 For purposes of section 8.33, unless specifically
14 provided otherwise, moneys appropriated in subsection
15 11 that remain unencumbered or unobligated shall not
16 revert but shall remain available for expenditure for
17 the purposes designated until the close of the fiscal
18 year that ends three years after the end of the fiscal
19 year for which the appropriation was made. However, if
20 the projects for which the appropriation was made are
21 completed in an earlier fiscal year, unencumbered or
22 unobligated moneys shall revert at the close of that
23 same fiscal year.
24 Sec. _____. PRIMARY ROAD FUND. There is appropriated
25 from the primary road fund created in section 313.3 to
26 the department of transportation for the fiscal year
27 beginning July 1, 2014, and ending June 30, 2015, the
28 following amounts, or so much thereof as is necessary,
29 to be used for the purposes designated:
30 1. For salaries, support, maintenance,
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:
33 a. Operations:
34 \$ 19,612,953
35 FTEs 266.00
36 b. Planning:
37 \$ 3,932,727
38 FTEs 102.00
39 c. Highways:
40 \$116,015,648
41 FTEs 2,057.00
42 d. Motor vehicles:
43 \$ 706,770
44 FTEs 410.00
45 e. Performance and technology:
46 \$ 1,412,980
47 FTEs 35.00
48 2. For payments to the department of administrative
49 services for utility services:
50 \$ 660,500

1 3. Unemployment compensation:
2 \$ 69,000
3 4. For payments to the department of administrative
4 services for paying workers' compensation claims under
5 chapter 85 on behalf of the employees of the department
6 of transportation:
7 \$ 1,371,500
8 5. For disposal of hazardous wastes from field
9 locations and the central complex:
10 \$ 400,000
11 6. For payment to the general fund of the state for
12 indirect cost recoveries:
13 \$ 286,000
14 7. For reimbursement to the auditor of state for
15 audit expenses as provided in section 11.5B:
16 \$ 207,591
17 8. For costs associated with producing
18 transportation maps:
19 \$ 80,000
20 9. For inventory and equipment replacement:
21 \$ 2,683,000
22 10. For utility improvements at various locations:
23 \$ 200,000
24 11. For roofing projects at various locations:
25 \$ 250,000
26 12. For heating, cooling, and exhaust system
27 improvements at various locations:
28 \$ 250,000
29 13. For deferred maintenance projects at field
30 facilities throughout the state:
31 \$ 750,000
32 14. For wastewater treatment improvements at
33 various locations:
34 \$ 500,000
35 15. For replacement of the Des Moines north garage:
36 \$ 3,176,500
37 For purposes of section 8.33, unless specifically
38 provided otherwise, moneys appropriated in subsections
39 10 through 15 that remain unencumbered or unobligated
40 shall not revert but shall remain available for
41 expenditure for the purposes designated until the close
42 of the fiscal year that ends three years after the end
43 of the fiscal year for which the appropriation was
44 made. However, if the project or projects for which
45 such appropriation was made are completed in an earlier
46 fiscal year, unencumbered or unobligated moneys shall
47 revert at the close of that same fiscal year.>>
48 2. By renumbering as necessary.

By HUSEMAN of Cherokee

HOUSE FILE 638

H-1332

1 Amend House File 638 as follows:

2 1. Page 2, line 8, by striking <1,000,000> and
3 inserting <1,500,000>

4 2. Page 2, line 10, by striking <1,000,000> and
5 inserting <1,500,000>

By H. MILLER of Webster

H-1332 FILED APRIL 23, 2013

HOUSE FILE 638

H-1346

1 Amend House File 638 as follows:
2 1. Page 13, after line 33 by inserting:
3 <DIVISION ____
4 MULTIMODAL TRANSPORTATION
5 Sec. ____ MULTIMODAL TRANSPORTATION.
6 1. There is appropriated from the general fund
7 of the state to the department of transportation for
8 the following fiscal years, the following amounts, or
9 so much thereof as is necessary, to be used for the
10 purposes designated:
11 For multimodal transportation projects as determined
12 by the transportation commission:
13 a. FY 2013-2014
14 \$ 5,500,000
15 b. FY 2014-2015
16 \$ 5,500,000
17 2. For purposes of section 8.33, unless
18 specifically provided otherwise, moneys appropriated in
19 this section that remain unencumbered or unobligated
20 shall not revert but shall remain available for
21 expenditure for the purposes designated until the close
22 of the fiscal year that ends three years after the end
23 of the fiscal year for which the appropriation was
24 made. However, if the project or projects for which
25 the appropriation was made are completed in an earlier
26 fiscal year, unencumbered or unobligated moneys shall
27 revert at the close of that same fiscal year.>
28 2. Page 13, line 34, by striking <VII> and
29 inserting <VIII>
30 3. Page 22, line 23, by striking <VIII> and
31 inserting <IX>
32 4. By renumbering as necessary.
By JACOBY of Johnson T. TAYLOR of Linn
COHOON of Des Moines MURPHY of Dubuque
LYKAM of Scott GAINES of Polk
DUNKEL of Dubuque KELLEY of Jasper
PRICHARD of Floyd HUNTER of Polk
WESSEL-KROESCHELL of Story FORBES of Polk
STAED of Linn WOLFE of Clinton
LENSING of Johnson MUHLBAUER of Crawford
STUTSMAN of Johnson OLDSOON of Polk
ISENHART of Dubuque BERRY of Black Hawk
KEARNS of Lee BEARINGER of Fayette
KRESSIG of Black Hawk RUNNING-MARQUARDT of Linn
HANSON of Jefferson KAJTAZOVIC of Black Hawk
STECKMAN of Cerro Gordo THOMAS of Clayton
WINCKLER of Scott RUFF of Clayton
HEDDENS of Story H. MILLER of Webster
OURTH of Warren THEDE of Scott
ANDERSON of Polk M. SMITH of Marshall
MASCHER of Johnson WOOD of Scott

H-1346 FILED APRIL 23, 2013

SENATE FILE 440

H-1350

- 1 Amend Senate File 440, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 9, line 31, through page 10,
- 4 line 4.
- 5 2. By renumbering as necessary.

By M. SMITH of Marshall

H-1350 FILED APRIL 23, 2013

SENATE FILE 440

H-1351

- 1 Amend Senate File 440, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 15, line 1, through page 19,
- 4 line 8.
- 5 2. By renumbering as necessary.

By M. SMITH of Marshall

H-1351 FILED APRIL 23, 2013

SENATE FILE 440

H-1352

1 Amend Senate File 440, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, after line 19 by inserting:
4 <REGIONAL ADMINISTRATOR STAFF
5 Sec. _____. Section 331.390, subsection 3, paragraph
6 b, Code 2013, is amended to read as follows:
7 b. If the chief executive of the regional
8 administrator or any other regional administrator
9 staff member holds an advanced degree in a field for
10 which a license from this state is required to practice
11 in the field, as a condition of employment the staff
12 member must obtain or maintain a current license
13 in that field. The regional administrator staff
14 shall include one or more coordinators of disability
15 services. A coordinator shall possess a bachelor's
16 or higher level degree in a human services-related
17 or administrative-related field, including but not
18 limited to social work, psychology, nursing, or public
19 or business administration, from an accredited college
20 or university. However, in lieu of a degree in public
21 or business administration, a coordinator may provide
22 documentation of relevant management experience. An
23 action of a coordinator involving a clinical decision
24 shall be made in conjunction with a professional
25 who is trained in the delivery of the mental health
26 or disability service addressed by the clinical
27 decision. The regional administrator chief executive
28 shall determine whether referral to a coordinator of
29 disability services is required for a person seeking to
30 access a service through a local access point of the
31 regional service system.>
32 2. By renumbering as necessary.

By M. SMITH of Marshall

H-1352 FILED APRIL 23, 2013

SENATE FILE 371

H-1358

1 Amend Senate File 371, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, lines 4 and 5, by striking <corporation
4 which is exempt from taxation under section 501(c)(3)>
5 and inserting <entity which is exempt from federal
6 income taxation pursuant to section 501(c)>

By BYRNES of Mitchell

H-1358 FILED APRIL 23, 2013

SENATE FILE 386

H-1354

1 Amend the amendment, H-1322, to Senate File 386, as
2 passed by the Senate, as follows:
3 1. Page 1, after line 2 by inserting:
4 <____. Page 5, after line 7 by inserting:
5 <Sec. _____. Section 321J.2, subsection 3, paragraph
6 c, unnumbered paragraph 1, Code 2013, is amended to
7 read as follows:
8 Assessment of a fine of one thousand two hundred
9 fifty dollars. However, ~~in the discretion of the~~
10 ~~court~~, if no personal or property injury has resulted
11 from the defendant's actions, the court ~~may~~ shall waive
12 no less than four hundred fifty dollars and up to six
13 ~~hundred twenty five dollars~~ one-half of the amount
14 of the fine when the defendant presents to the court
15 at the end of the minimum period of ineligibility a
16 temporary restricted license issued pursuant to section
17 321J.20.>>
18 2. Page 1, line 24, after <treatment,> by inserting
19 <and to attend groups whose purpose is to eliminate or
20 reduce alcohol or other drug use>
21 3. Page 3, line 7, after <treatment> by inserting
22 <and to attend groups whose purpose is to eliminate or
23 reduce alcohol or other drug use>
24 4. Page 3, after line 14 by inserting:
25 <____. Title page, lines 7 and 8, by striking <for
26 the issuance of temporary restricted licenses for> and
27 inserting <concerning>
28 5. By renumbering as necessary.

By R. OLSON of Polk

H-1354 FILED APRIL 23, 2013

SENATE FILE 396

H-1357

1 Amend Senate File 396, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 12, by striking lines 12 through 23.
4 2. By renumbering as necessary.

By HAGENOW of Polk

H-1357 FILED APRIL 23, 2013

SENATE FILE 406

H-1335

1 Amend Senate File 406, as passed by the Senate, as
2 follows:
3 1. Page 8, after line 22 by inserting:
4 <Sec. _____. Section 229.22, subsection 2, paragraph
5 a, Code 2013, is amended to read as follows:
6 a. In the circumstances described in subsection
7 1, any peace officer who has reasonable grounds to
8 believe that a person is mentally ill, and because
9 of that illness is likely to physically injure the
10 person's self or others if not immediately detained,
11 may without a warrant take or cause that person to be
12 taken to the nearest available facility or hospital as
13 defined in section 229.11, subsection 1, paragraphs
14 "b" and "c". A person believed mentally ill, and
15 likely to injure the person's self or others if not
16 immediately detained, may be delivered to a facility
17 or hospital by someone other than a peace officer.
18 Upon delivery of the person believed mentally ill to
19 the facility or hospital, the examining physician,
20 examining physician assistant, or examining psychiatric
21 advanced registered nurse practitioner may order
22 treatment of that person, including chemotherapy, but
23 only to the extent necessary to preserve the person's
24 life or to appropriately control behavior by the
25 person which is likely to result in physical injury
26 to that person or others if allowed to continue. The
27 peace officer who took the person into custody, or
28 other party who brought the person to the facility
29 or hospital, shall describe the circumstances of the
30 matter to the examining physician, examining physician
31 assistant, or examining psychiatric advanced registered
32 nurse practitioner. If the person is a peace officer,
33 the peace officer may do so either in person or by
34 written report. If the examining physician, examining
35 physician assistant, or examining psychiatric advanced
36 registered nurse practitioner finds that there
37 is reason to believe that the person is seriously
38 mentally impaired, and because of that impairment
39 is likely to physically injure the person's self or
40 others if not immediately detained, the examining
41 physician, examining physician assistant, or examining
42 psychiatric advanced registered nurse practitioner
43 shall at once communicate with the nearest available
44 magistrate as defined in section 801.4, subsection 10.
45 The magistrate shall, based upon the circumstances
46 described by the examining physician, examining
47 physician assistant, or examining psychiatric advanced
48 registered nurse practitioner, give the examining
49 physician, examining physician assistant, or examining
50 psychiatric advanced registered nurse practitioner

H-1335

1 oral instructions either directing that the person
2 be released forthwith or authorizing the person's
3 detention in an appropriate facility. A peace officer
4 from the law enforcement agency that took the person
5 into custody, if available, during the communication
6 with the magistrate, may inform the magistrate that
7 an arrest warrant has been issued for or charges
8 are pending against the person and request that any
9 oral or written order issued under this subsection
10 require the facility or hospital to notify the law
11 enforcement agency about the discharge of the person
12 prior to discharge. The magistrate may also give oral
13 instructions and order that the detained person be
14 transported to an appropriate facility.>
15 2. By renumbering as necessary.

By GARRETT of Warren

SENATE FILE 435

H-1333

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 24, after line 33 by inserting:

5 <DIVISION ____
6 MISCELLANEOUS

7 Sec. ____ . URBAN-RURAL DIALOGUE COMMITTEE.

8 1. An urban-rural dialogue committee is
9 established to improve urban, including suburban,
10 and rural communities in this state by providing for
11 collaborative efforts.

12 2. The committee shall study existing programs
13 administered by state agencies which benefit one
14 type of community, but which could be revised or
15 administered differently to benefit both types of
16 communities. The committee shall also study methods
17 to improve awareness, understanding, and communication
18 between urban and rural communities, including but not
19 limited to how soil and water conservation practices,
20 pollution control measures, and flood control measures
21 may be better implemented by urban residents.

22 3. The committee shall be chaired by the secretary
23 of agriculture or a designee. The committee shall also
24 include the following members:

25 a. The director of the department of natural
26 resources, or the director's designee.

27 b. The president of Iowa state university or the
28 president's designee.

29 c. Three persons appointed by the secretary of
30 agriculture who are rural residents, including two
31 persons who are actively engaged in farming.

32 d. Two persons appointed by the secretary of
33 agriculture who are urban residents.

34 4. A public member is entitled to receive
35 reimbursement for actual expenses incurred while
36 engaged in the performance of official duties under
37 this section. However, a member of the committee is
38 not eligible to receive compensation as provided in
39 section 7E.6.

40 5. The committee shall submit a final report to
41 the general assembly not later than January 1, 2014.
42 The report shall include findings and recommendations,
43 including proposals for legislation and administrative
44 rules.>

By H. MILLER of Webster

H-1333 FILED APRIL 23, 2013

SENATE FILE 435

H-1334

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 13, line 22, by striking <14,944,129> and
5 inserting <8,790,664>
6 2. Page 13, line 29, by striking <202,300> and
7 inserting <119,000>
8 3. Page 14, line 3, by striking <259,689> and
9 inserting <152,758>
10 4. Page 14, line 15, by striking <425,000> and
11 inserting <250,000>
12 5. Page 14, line 35, by striking <160,817> and
13 inserting <94,598>
14 6. Page 14, line 50, by striking <63,750> and
15 inserting <37,500>
16 7. Page 15, line 23, by striking <21,250> and
17 inserting <12,500>
18 8. Page 15, line 40, by striking <110,500> and
19 inserting <65,000>
20 9. Page 16, line 27, by striking <10,851,695> and
21 inserting <6,383,350>
22 10. Page 17, line 11, by striking <34,916,499> and
23 inserting <20,539,117>
24 11. Page 17, line 40, by striking <2,937,457> and
25 inserting <1,727,916>
26 12. Page 18, line 2, by striking <85,000> and
27 inserting <50,000>
28 13. Page 18, line 13, by striking <170,000> and
29 inserting <100,000>
30 14. Page 18, line 24, by striking <1,700,000> and
31 inserting <1,000,000>
32 15. Page 18, line 44, by striking <85,000> and
33 inserting <50,000>
34 16. Page 19, line 15, by striking <2,964,491> and
35 inserting <1,743,818>
36 17. Page 20, line 15, by striking <850,000> and
37 inserting <500,000>
38 18. Page 20, line 33, by striking <765,000> and
39 inserting <450,000>
40 19. Page 20, line 44, by striking <531,250> and
41 inserting <312,500>
42 20. Page 20, line 50, by striking <\$340,000> and
43 inserting <\$200,000>
44 21. Page 21, line 9, by striking <2,167,500> and
45 inserting <1,275,000>
46 22. Page 21, line 16, by striking <850,000> and
47 inserting <500,000>
48 23. Page 21, line 26, by striking <5,652,500> and
49 inserting <3,325,000>
50 24. Page 22, line 8, by striking <\$42,500> and

H-1334

H-1334

Page 2

1 inserting <\$25,000>
2 25. Page 22, line 21, by striking <1,317,500> and
3 inserting <775,000>
4 26. Page 22, line 25, by striking <446,250> and
5 inserting <262,500>
6 27. Page 22, line 27, by striking <\$334,688> and
7 inserting <\$196,875>
8 28. Page 22, line 33, by striking <\$111,562> and
9 inserting <\$65,625>
10 29. Page 22, line 44, by striking <3,740,000> and
11 inserting <2,200,000>
12 30. Page 23, line 8, by striking <85,000> and
13 inserting <50,000>
14 31. Page 23, line 12, by striking <3,918,500> and
15 inserting <3,305,000>
16 32. Page 23, line 18, by striking <165,750> and
17 inserting <97,500>
18 33. Page 23, line 22, by striking <2,511,750> and
19 inserting <1,477,500>
20 34. Page 23, line 27, by striking <425,000> and
21 inserting <250,000>
22 35. Page 23, line 31, by striking <952,000> and
23 inserting <560,000>
24 36. Page 23, line 37, by striking <361,250> and
25 inserting <212,500>
26 37. Page 23, line 45, by striking <420,750> and
27 inserting <247,500>
28 38. Page 24, line 2, by striking <170,000> and
29 inserting <100,000>
30 39. Page 24, line 8, by striking <170,000> and
31 inserting <100,000>
32 40. Page 24, line 33, by striking <10,200,000> and
33 inserting <6,000,000>

By DRAKE of Cass

H-1334 FILED APRIL 23, 2013

SENATE FILE 435

H-1336

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 7, after line 19 by inserting:

5 <Sec. _____. RESOURCE CONSERVATION AND DEVELOPMENT.

6 1. There is appropriated from the general fund of
7 the state to the department of natural resources for
8 the fiscal year beginning July 1, 2013, and ending June
9 30, 2014, the following amount, or so much thereof as
10 is necessary, to be used for the purposes designated:

11 For deposit in the southern Iowa development and
12 conservation fund created in section 161D.12:

13 \$ 250,000

14 2. The moneys appropriated in subsection 1 shall
15 be used for purposes of carrying out the mission
16 of the southern Iowa development and conservation
17 authority created in section 161D.11, including for
18 the planning, development, and implementation of
19 development and conservation activities or measures in
20 member counties.>

21 2. By renumbering, redesignating, and correcting
22 internal references as necessary.

By GASKILL of Wapello
HANSON of Jefferson

H-1336 FILED APRIL 23, 2013

SENATE FILE 435

H-1337

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 9 by inserting:

5 <DIVISION ____
6 GENERAL FUND

7 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
8 WATER QUALITY

9 Sec. ____ . SPECIAL PROJECTS.

10 1. There is appropriated from the general fund of
11 the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1, 2013,
13 and ending June 30, 2014, the following amount, or
14 so much thereof as is necessary, to be used for the
15 purposes designated:

16 For deposit in the water quality initiative fund
17 created in section 466B.46, as enacted by this Act, for
18 purposes of supporting special projects associated with
19 a water quality initiative administered by the soil
20 conservation division as provided in section 466B.42 as
21 enacted by this Act:

22 \$ 10,000,000

23 2. a. Seventy percent of the moneys shall be used
24 to support projects in subwatersheds as designated by
25 the division that are part of high-priority watersheds
26 identified by the water resources coordinating council
27 established pursuant to section 466B.3.

28 b. Thirty percent of the moneys shall be used to
29 support projects in watersheds generally, including
30 regional watersheds, as designated by the division,
31 and high-priority watersheds identified by the water
32 resources coordinating council established pursuant to
33 section 466B.3.

34 3. In supporting projects in subwatersheds and
35 watersheds as provided in subsection 2, the division
36 shall do all of the following:

37 a. Utilize water quality practices as described
38 in the latest revision of the document entitled "Iowa
39 Nutrient Reduction Strategy" initially presented in
40 November 2012 by the department of agriculture and land
41 stewardship, the department of natural resources, and
42 Iowa state university of science and technology.

43 b. Participate with persons who hold a legal
44 interest in agricultural land used in farming. To
45 every extent practical, the division shall provide for
46 collaborative participation by such persons who hold a
47 legal interest in agricultural land located within the
48 same watershed.

49 c. Finance the establishment of water quality
50 practices on a cost-share basis as determined by the

H-1337

1 division. However, the state's share of the amount
2 shall not exceed 50 percent of the estimated cost of
3 establishing the water quality practice as determined
4 by the division or 50 percent of the actual cost of
5 establishing the water quality practice, whichever is
6 less.

7 4. Notwithstanding any other provision in law
8 to the contrary, the department may use moneys
9 appropriated in subsection 1 in combination with
10 other moneys appropriated to the department from the
11 environment first fund created in section 8.57A for
12 cost sharing to match the United States department of
13 agriculture, natural resources conservation service,
14 wetland reserve enhancement program.

15 Sec. _____. FEDERAL MONEYS. The department of
16 agriculture and land stewardship, and its soil
17 conservation division, may use moneys appropriated in
18 this division of this Act to support the water quality
19 initiative, including its projects, as provided in this
20 division of this Act, in combination with other moneys
21 provided by the United States government.>

22 2. Page 25, after line 1 by inserting:

23 <Sec. _____. Section 466B.1, Code 2013, is amended to
24 read as follows:

25 466B.1 Short title.

26 This ~~chapter~~ subchapter shall be known and may
27 be cited as the "Surface Water Protection and Flood
28 Mitigation Act".

29 Sec. _____. Section 466B.2, unnumbered paragraph 1,
30 Code 2013, is amended to read as follows:

31 For the purposes of this ~~chapter~~ subchapter, unless
32 the context otherwise requires:

33 Sec. _____. Section 466B.21, Code 2013, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 4. "Watershed" means the same as
36 defined in section 466B.2.

37 Sec. _____. NEW SECTION. 466B.41 Definitions.

38 As used in this subchapter, unless the context
39 otherwise requires:

40 1. "Division" means the division of soil
41 conservation within the department of agriculture and
42 land stewardship as established in section 161A.4.

43 2. "Fund" means the water quality initiative fund
44 created in section 466B.46.

45 3. "Nutrient" includes nitrogen and phosphorus.

46 4. "Regional watershed", "subwatershed", and
47 "watershed" mean the same as defined in section 466B.2.

48 Sec. _____. NEW SECTION. 466B.42 Water quality
49 initiative.

50 The division shall establish a water quality

1 initiative in order to assess and reduce nutrients in
2 this state's watersheds, including subwatersheds, and
3 regional watersheds. The division shall establish
4 and administer projects to reduce nutrients in
5 surface waters from nonpoint sources in a scientific,
6 reasonable, and cost-effective manner. The division
7 shall utilize a pragmatic, strategic, and coordinated
8 approach with the goal of accomplishing reductions over
9 time.

10 Sec. _____. NEW SECTION. 466B.46 Water quality
11 initiative fund.

12 1. A water quality initiative fund is created in
13 the state treasury under the management and control of
14 the division.

15 2. The fund shall include moneys appropriated
16 by the general assembly. The fund may include other
17 moneys available to and obtained or accepted by the
18 division, including moneys from public or private
19 sources.

20 3. Moneys in the fund are appropriated to the
21 division and shall be used exclusively to carry out
22 the provisions of this subchapter as determined by
23 the division, and shall not require further special
24 authorization by the general assembly.

25 4. a. Notwithstanding section 12C.7, interest or
26 earnings on moneys in the fund shall be credited to the
27 fund.

28 b. Notwithstanding section 8.33, moneys
29 appropriated or otherwise credited to the fund for a
30 fiscal year shall not revert to the fund from which
31 appropriated at the close of the fiscal year for which
32 the appropriation was made but shall remain available
33 for expenditure for the purposes designated until the
34 close of the fiscal year that begins two years from
35 the beginning date of the fiscal year for which the
36 appropriation was made.

37 Sec. _____. CODE EDITOR. The Code editor shall
38 codify sections 466B.41 through 466B.46, as enacted by
39 this division of this Act, as a new subchapter.>

40 3. By renumbering as necessary.

By BEARINGER of Fayette
ABDUL-SAMAD of Polk
ANDERSON of Polk
BERRY of Black Hawk
COHOON of Des Moines
DUNKEL of Dubuque
FORBES of Polk
GAINES of Polk
GASKILL of Wapello
HANSON of Jefferson
HEDDENS of Story
HUNTER of Polk
JACOBY of Johnson
KEARNS of Lee
KELLEY of Jasper
KRESSIG of Black Hawk
LENSING of Johnson
LUNDBY of Linn
LYKAM of Scott
MASCHER of Johnson

H. MILLER of Webster
MUHLBAUER of Crawford
MURPHY of Dubuque
OLDSON of Polk
T. OLSON of Linn
OURTH of Warren
PRICHARD of Floyd
RIDING of Polk
RUFF of Clayton
M. SMITH of Marshall
STAED of Linn
STECKMAN of Cerro Gordo
STUTSMAN of Johnson
T. TAYLOR of Linn
THEDE of Scott
THOMAS of Clayton
WESSEL-KROESCHELL of Story
WINCKLER of Scott
WOOD of Scott

H-1337 FILED APRIL 23, 2013

SENATE FILE 435

H-1338

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 13, after line 6 by inserting:

5 <DIVISION _____
6 GENERAL FUND NATURAL RESOURCES AND OUTDOOR RECREATION
7 TRUST FUND

8 Sec. _____. NATURAL RESOURCES AND OUTDOOR RECREATION
9 TRUST FUND.

10 1. There is appropriated from the general fund
11 of the state to the natural resources and outdoor
12 recreation trust fund as created in section 461.31, for
13 the fiscal year beginning July 1, 2013, and ending June
14 30, 2014, the following amount, or so much thereof as
15 is necessary, to be used for the purposes designated:

16 For carrying out the purposes of the fund as
17 provided in section 461.3, subsection 1, including for
18 protecting and enhancing water quality and natural
19 areas in this state, including parks, trails, and fish
20 and wildlife habitat, and conserving agricultural soils
21 in this state:

22 \$160,000,000

23 2. The appropriation in subsection 1 applies
24 notwithstanding section 461.3, subsection 2.

25 3. This section does not implement Article VII,
26 section 10, of the Constitution of the State of Iowa.
27 However, the provisions of chapter 461 shall apply in
28 the same manner as if Article VII, section 10, of the
29 Constitution of the State of Iowa were implemented as
30 provided in section 461.3, subsection 2.

31 4. Nothing in this section increases the tax rate
32 for the sales tax imposed upon the retail sales price
33 of tangible personal property and the furnishing of
34 enumerated services sold in this state.>

35 2. By renumbering, redesignating, and correcting
36 internal references as necessary.

By WESSEL-KROESCHELL of Story	JACOBY of Johnson
ABDUL-SAMAD of Polk	KEARNS of Lee
ANDERSON of Polk	KELLEY of Jasper
BEARINGER of Fayette	LENSING of Johnson
BERRY of Black Hawk	MASCHER of Johnson
FORBES of Polk	H. MILLER of Webster
GAINES of Polk	PRICHARD of Floyd
GASKILL of Wapello	RIDING of Polk
HANSON of Jefferson	STAED of Linn
HEDDENS of Story	STECKMAN of Cerro Gordo
HUNTER of Polk	STUTSMAN of Johnson
ISENHART of Dubuque	T. TAYLOR of Linn

H-1338 FILED APRIL 23, 2013

SENATE FILE 435

H-1339

1 Amend the amendment, [H-1297](#), to [Senate File 435](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 7, line 13, by striking <100,000> and
5 inserting <200,000>

By RUFF of Clayton	LYKAM of Scott
ABDUL-SAMAD of Polk	MASCHER of Johnson
ANDERSON of Polk	H. MILLER of Webster
BEARINGER of Fayette	MUHLBAUER of Crawford
BERRY of Black Hawk	MURPHY of Dubuque
DUNKEL of Dubuque	OLDSON of Polk
FORBES of Polk	OURTH of Warren
GAINES of Polk	PRICHARD of Floyd
GASKILL of Wapello	RIDING of Polk
HALL of Woodbury	M. SMITH of Marshall
HANSON of Jefferson	STAED of Linn
HUNTER of Polk	STECKMAN of Cerro Gordo
JACOBY of Johnson	STUTSMAN of Johnson
KEARNS of Lee	THEDE of Scott
KELLEY of Jasper	THOMAS of Clayton
KRESSIG of Black Hawk	WOOD of Scott
LUNDBY of Linn	

H-1339 FILED APRIL 23, 2013

SENATE FILE 435

H-1340

1 Amend the amendment, [H-1297](#), to [Senate File 435](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 12, line 4, by striking <1,120,000> and
5 inserting <1,920,000>

By WOOD of Scott	MASCHER of Johnson
ABDUL-SAMAD of Polk	H. MILLER of Webster
ANDERSON of Polk	MUHLBAUER of Crawford
BEARINGER of Fayette	MURPHY of Dubuque
BERRY of Black Hawk	OLDSON of Polk
DUNKEL of Dubuque	T. OLSON of Linn
FORBES of Polk	OURTH of Warren
GAINES of Polk	PRICHARD of Floyd
GASKILL of Wapello	RIDING of Polk
HANSON of Jefferson	M. SMITH of Marshall
HEDDENS of Story	STAED of Linn
HUNTER of Polk	STECKMAN of Cerro Gordo
ISENHART of Dubuque	STUTSMAN of Johnson
JACOBY of Johnson	T. TAYLOR of Linn
KEARNS of Lee	THEDE of Scott
KELLEY of Jasper	THOMAS of Clayton
KRESSIG of Black Hawk	WESSEL-KROESCHELL of Story
LENSING of Johnson	WINCKLER of Scott
LYKAM of Scott	

H-1340 FILED APRIL 23, 2013

SENATE FILE 435

H-1341

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 9 by inserting:

5 <Sec. _____. WATERSHED IMPROVEMENT FUND.

6 1. There is appropriated from the general fund of
7 the state to the department of agriculture and land
8 stewardship for the fiscal year beginning July 1, 2013,
9 and ending June 30, 2014, the following amount, or
10 so much thereof as is necessary, to be used for the
11 purpose designated:

12 For deposit in the watershed improvement fund
13 created in section 466A.2:

14 \$ 4,000,000>

15 2. By renumbering as necessary.

By BEARINGER of Fayette	MASCHER of Johnson
ABDUL-SAMAD of Polk	H. MILLER of Webster
ANDERSON of Polk	MUHLBAUER of Crawford
BERRY of Black Hawk	MURPHY of Dubuque
DUNKEL of Dubuque	OLDSON of Polk
FORBES of Polk	T. OLSON of Linn
GAINES of Polk	OURTH of Warren
GASKILL of Wapello	PRICHARD of Floyd
HALL of Woodbury	RIDING of Polk
HANSON of Jefferson	RUFF of Clayton
HEDDENS of Story	M. SMITH of Marshall
HUNTER of Polk	STAED of Linn
JACOBY of Johnson	STUTSMAN of Johnson
KEARNS of Lee	THOMAS of Clayton
KELLEY of Jasper	WESSEL-KROESCHELL of Story
KRESSIG of Black Hawk	WINCKLER of Scott
LYKAM of Scott	WOOD of Scott

H-1341 FILED APRIL 23, 2013

SENATE FILE 435

H-1342

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 8, after line 17 by inserting:

5 <DIVISION _____

6 IOWA FINANCE AUTHORITY

7 GENERAL APPROPRIATIONS FOR FY 2013-2014

8 Sec. _____. UNSEWERED COMMUNITY REVOLVING LOAN

9 PROGRAM. There is appropriated from the general fund
10 of the state to the Iowa finance authority for the
11 fiscal year beginning July 1, 2013, and ending June 30,
12 2014, the following amount, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 For deposit in the unsewered community revolving
15 loan fund establishing pursuant to section 16.141
16 for purposes of supporting the unsewered community
17 revolving loan program as provided in that section:

18 \$ 10,000,000>

19 2. By renumbering, redesignating, and correcting
20 internal references as necessary.

By THEDE of Scott	MASCHER of Johnson
ABDUL-SAMAD of Polk	H. MILLER of Webster
ANDERSON of Polk	MUHLBAUER of Crawford
BEARINGER of Fayette	MURPHY of Dubuque
BERRY of Black Hawk	OURTH of Warren
DUNKEL of Dubuque	PRICHARD of Floyd
FORBES of Polk	RIDING of Polk
GAINES of Polk	RUFF of Clayton
GASKILL of Wapello	M. SMITH of Marshall
HANSON of Jefferson	STAED of Linn
HEDDENS of Story	STUTSMAN of Johnson
HUNTER of Polk	T. TAYLOR of Linn
JACOBY of Johnson	THOMAS of Clayton
KEARNS of Lee	WESSEL-KROESCHELL of Story
KELLEY of Jasper	WINCKLER of Scott
KRESSIG of Black Hawk	WOOD of Scott
LYKAM of Scott	

H-1342 FILED APRIL 23, 2013

SENATE FILE 435

H-1343

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 13, line 6, by striking <12,000,000> and
5 inserting <20,000,000>

By OURTH of Warren	LYKAM of Scott
LUNDBY of Linn	MASCHER of Johnson
ABDUL-SAMAD of Polk	McCARTHY of Polk
ANDERSON of Polk	H. MILLER of Webster
BEARINGER of Fayette	MUHLBAUER of Crawford
BERRY of Black Hawk	MURPHY of Dubuque
COHOON of Des Moines	OLDSON of Polk
DAWSON of Woodbury	T. OLSON of Linn
DUNKEL of Dubuque	PRICHARD of Floyd
FORBES of Polk	RIDING of Polk
GAINES of Polk	RUFF of Clayton
GASKILL of Wapello	M. SMITH of Marshall
HALL of Woodbury	STAED of Linn
HANSON of Jefferson	STECKMAN of Cerro Gordo
HEDDENS of Story	STUTSMAN of Johnson
HUNTER of Polk	T. TAYLOR of Linn
ISENHART of Dubuque	THEDE of Scott
JACOBY of Johnson	THOMAS of Clayton
KAJTAZOVIC of Black Hawk	WESSEL-KROESCHELL of Story
KEARNS of Lee	WINCKLER of Scott
KELLEY of Jasper	WOLFE of Clinton
KRESSIG of Black Hawk	WOOD of Scott
LENSING of Johnson	

H-1343 FILED APRIL 23, 2013

SENATE FILE 435

H-1344

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 9 by inserting:

5 <DIVISION _____
6 GENERAL FUND _____

7 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
8 SOIL AND WATER CONSERVATION

9 Sec. _____. SOIL AND WATER CONSERVATION ----

10 GENERAL. There is appropriated from the general fund
11 of the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1, 2013,
13 and ending June 30, 2014, the following amount, or
14 so much thereof as is necessary, to be used for the
15 purposes designated:

16 1. For use by the department in providing for soil
17 and water conservation administration, the conservation
18 of soil and water resources, or the support of soil and
19 water conservation district commissioners:
20 \$ 6,000,000

21 2. Not more than 5 percent of the moneys
22 appropriated in subsection 1 may be allocated for cost
23 sharing to address complaints filed under section
24 161A.47.

25 3. Of the moneys appropriated in subsection 1, 5
26 percent shall be allocated for financial incentives
27 to establish practices to protect watersheds above
28 publicly owned lakes of the state from soil erosion and
29 sediment as provided in section 161A.73.

30 4. Not more than 30 percent of a soil and water
31 conservation district's allocation of moneys as
32 financial incentives may be provided for the purpose
33 of establishing management practices to control soil
34 erosion on land that is row cropped, including but
35 not limited to no-till planting, ridge-till planting,
36 contouring, and contour strip-cropping as provided in
37 section 161A.73.

38 5. The state soil conservation committee
39 established by section 161A.4 may allocate moneys
40 appropriated in subsection 1 to conduct research and
41 demonstration projects to promote conservation tillage
42 and nonpoint source pollution control practices.

43 6. The allocation of moneys as financial incentives
44 as provided in section 161A.73 may be used in
45 combination with moneys allocated by the department of
46 natural resources.

47 7. Not more than 15 percent of the moneys
48 appropriated in subsection 1 may be used for costs of
49 administration and implementation of soil and water
50 conservation practices.

1 8. The moneys appropriated in this section shall
2 not be used by the soil conservation division of
3 the department of agriculture and land stewardship
4 to provide administrative support to the watershed
5 improvement review board established in section 466A.3.
6 Sec. _____. NONREVERSION. Notwithstanding section
7 8.33, moneys appropriated in this division that remain
8 unencumbered or unobligated at the close of the fiscal
9 year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close
11 of the fiscal year beginning July 1, 2016.>

12 2. By renumbering as necessary.

By MUHLBAUER of Crawford	MASCHER of Johnson
ABDUL-SAMAD of Polk	H. MILLER of Webster
ANDERSON of Polk	MURPHY of Dubuque
BEARINGER of Fayette	OLDSON of Polk
BERRY of Black Hawk	T. OLSON of Linn
DUNKEL of Dubuque	OURTH of Warren
FORBES of Polk	PRICHARD of Floyd
GAINES of Polk	RIDING of Polk
GASKILL of Wapello	RUFF of Clayton
HALL of Woodbury	M. SMITH of Marshall
HANSON of Jefferson	STAED of Linn
HEDDENS of Story	STECKMAN of Cerro Gordo
HUNTER of Polk	STUTSMAN of Johnson
JACOBY of Johnson	THOMAS of Clayton
KEARNS of Lee	WESSEL-KROESCHELL of Story
KELLEY of Jasper	WINCKLER of Scott
KRESSIG of Black Hawk	WOLFE of Clinton
LUNDBY of Linn	WOOD of Scott
LYKAM of Scott	

SENATE FILE 435

H-1345

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 9 by inserting:

5 <Sec. _____. SOIL AND WATER CONSERVATION DISTRICTS.

6 1. There is appropriated from the general fund of
7 the state to the department of agriculture and land
8 stewardship for the fiscal year beginning July 1, 2013,
9 and ending June 30, 2014, the following amount, or
10 so much thereof as is necessary, to be used for the
11 purposes designated:

12 For purposes of supporting soil and water
13 conservation districts in this state as provided in
14 chapter 161A:

15	\$	1,340,000
16	FTEs	20.00

17 2. The appropriation made in subsection 1 shall be
18 used to fund salaries, support, and maintenance of one
19 full-time field office secretary I position in each
20 soil and water conservation district office that did
21 not support a secretary I position during the fiscal
22 year beginning July 1, 2012, and ending June 30, 2013.>

23 2. By renumbering as necessary.

By KELLEY of Jasper

H-1345 FILED APRIL 23, 2013

SENATE FILE 435

H-1349

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 7, after line 19 by inserting:

5 <Sec. _____. SOUTHERN IOWA DEVELOPMENT AND
6 CONSERVATION.

7 1. There is appropriated from the open spaces
8 account of the Iowa resources enhancement and
9 protection fund as provided in sections 455A.18 and
10 455A.19 to the department of natural resources for the
11 fiscal year beginning July 1, 2013, and ending June 30,
12 2014, the following amount, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 For deposit in the southern Iowa development and
15 conservation fund created in section 161D.12:

16 \$ 250,000

17 2. The appropriation provided in subsection 1 shall
18 be allotted prior to any other allotment of moneys from
19 the open spaces account as provided in section 455A.19,
20 subsection 1, paragraph "a".

21 3. The moneys appropriated in subsection 1 shall
22 be used for purposes of carrying out the mission
23 of the southern Iowa development and conservation
24 authority created in section 161D.11, including for
25 the planning, development, and implementation of
26 development and conservation activities or measures in
27 member counties.>

28 2. By renumbering, redesignating, and correcting
29 internal references as necessary.

By DRAKE of Cass

H-1349 FILED APRIL 23, 2013

SENATE FILE 435

H-1359

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 24, after line 39 by inserting:

5 <Sec. _____. Section 6A.1, Code 2013, is amended to
6 read as follows:

7 6A.1 Exercise of power by state.

8 1. Proceedings may be instituted and maintained by
9 the state of Iowa, or for the use and benefit thereof,
10 for the condemnation of such private property as may be
11 necessary for any public improvement which the general
12 assembly has authorized to be undertaken by the state,
13 and for which an available appropriation has been made.
14 The executive council shall institute and maintain such
15 proceedings in case authority to so do be not otherwise
16 delegated.

17 2. a. As used in this subsection, "state moneys"
18 means moneys appropriated by the general assembly,
19 including but not limited to any such moneys which are
20 available to a state agency for any purpose.

21 b. Notwithstanding any provision of law to the
22 contrary, state moneys and state employees shall not be
23 used for the construction of a lake, including but not
24 limited to the acquisition of land for the lake, if all
25 of the following apply:

26 (1) The lake is to be used for boating, fishing,
27 swimming, or other recreational activity.

28 (2) The land is to be condemned under this chapter
29 and chapter 6B.

30 c. Paragraph "b" does not apply if the owner of
31 land consents to the condemnation.>

32 2. By renumbering, redesignating, and correcting
33 internal references as necessary.

By KAUFMANN of Cedar
R. OLSON of Polk
JACOBY of Johnson

H-1359 FILED APRIL 23, 2013

SENATE FILE 435

H-1366

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 13, line 22, by striking <14,944,129> and
5 inserting <8,790,664>
6 2. Page 13, line 29, by striking <202,300> and
7 inserting <119,000>
8 3. Page 14, line 3, by striking <259,689> and
9 inserting <152,758>
10 4. Page 14, line 15, by striking <425,000> and
11 inserting <250,000>
12 5. Page 14, line 35, by striking <160,817> and
13 inserting <94,598>
14 6. Page 14, line 50, by striking <63,750> and
15 inserting <37,500>
16 7. Page 15, line 23, by striking <21,250> and
17 inserting <12,500>
18 8. Page 15, line 40, by striking <110,500> and
19 inserting <65,000>
20 9. Page 16, line 27, by striking <10,851,695> and
21 inserting <6,383,350>
22 10. Page 17, line 11, by striking <34,916,499> and
23 inserting <20,539,117>
24 11. Page 17, line 40, by striking <2,937,457> and
25 inserting <1,727,916>
26 12. Page 18, line 2, by striking <85,000> and
27 inserting <50,000>
28 13. Page 18, line 13, by striking <170,000> and
29 inserting <100,000>
30 14. Page 18, line 24, by striking <1,700,000> and
31 inserting <1,000,000>
32 15. Page 18, line 44, by striking <85,000> and
33 inserting <50,000>
34 16. Page 19, line 15, by striking <2,964,491> and
35 inserting <1,743,818>
36 17. Page 20, line 15, by striking <850,000> and
37 inserting <500,000>
38 18. Page 20, line 33, by striking <765,000> and
39 inserting <450,000>
40 19. Page 20, line 44, by striking <531,250> and
41 inserting <312,500>
42 20. Page 20, line 50, by striking <\$340,000> and
43 inserting <\$200,000>
44 21. Page 21, line 9, by striking <2,167,500> and
45 inserting <1,275,000>
46 22. Page 21, line 16, by striking <850,000> and
47 inserting <500,000>
48 23. Page 21, line 26, by striking <5,652,500> and
49 inserting <3,325,000>
50 24. Page 22, line 8, by striking <\$42,500> and

H-1366

1 inserting <\$25,000>
2 25. Page 22, line 21, by striking <1,317,500> and
3 inserting <775,000>
4 26. Page 22, line 25, by striking <446,250> and
5 inserting <262,500>
6 27. Page 22, line 27, by striking <\$334,688> and
7 inserting <\$196,875>
8 28. Page 22, line 33, by striking <\$111,562> and
9 inserting <\$65,625>
10 29. Page 22, line 44, by striking <3,740,000> and
11 inserting <2,200,000>
12 30. Page 23, line 8, by striking <85,000> and
13 inserting <50,000>
14 31. Page 23, line 12, by striking <3,918,500> and
15 inserting <2,305,000>
16 32. Page 23, line 18, by striking <165,750> and
17 inserting <97,500>
18 33. Page 23, line 22, by striking <2,511,750> and
19 inserting <1,477,500>
20 34. Page 23, line 27, by striking <425,000> and
21 inserting <250,000>
22 35. Page 23, line 31, by striking <952,000> and
23 inserting <560,000>
24 36. Page 23, line 37, by striking <361,250> and
25 inserting <212,500>
26 37. Page 23, line 45, by striking <420,750> and
27 inserting <247,500>
28 38. Page 24, line 2, by striking <170,000> and
29 inserting <100,000>
30 39. Page 24, line 8, by striking <170,000> and
31 inserting <100,000>
32 40. Page 24, line 33, by striking <10,200,000> and
33 inserting <6,000,000>

By DRAKE of Cass

SENATE FILE 447

H-1347

1 Amend the amendment, H-1329, to Senate File 447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 13, line 42, by striking <6,138,162> and
5 inserting <3,610,683>
6 2. Page 13, line 50, by striking <2,444,940> and
7 inserting <1,438,200>
8 3. Page 14, line 16, by striking <1,791,304> and
9 inserting <1,053,708>
10 4. Page 15, line 1, by striking <2,665,739> and
11 inserting <1,568,082>
12 5. Page 15, line 15, by striking <36,641,063> and
13 inserting <21,553,567>
14 6. Page 15, line 29, by striking <26,585,860> and
15 inserting <15,638,741>
16 7. Page 15, line 33, by striking <49,767,605> and
17 inserting <29,275,062>
18 8. Page 15, line 37, by striking <23,058,197> and
19 inserting <13,563,645>
20 9. Page 15, line 41, by striking <21,089,713> and
21 inserting <12,405,714>
22 10. Page 15, line 45, by striking <8,220,476> and
23 inserting <4,835,574>
24 11. Page 15, line 49, by striking <21,455,374> and
25 inserting <12,620,808>
26 12. Page 16, line 8, by striking <18,363,430> and
27 inserting <10,802,018>
28 13. Page 16, line 12, by striking <25,385,447> and
29 inserting <14,932,616>
30 14. Page 16, line 17, by striking <913,828> and
31 inserting <537,546>
32 15. Page 16, line 21, by striking <411,749> and
33 inserting <242,206>
34 16. Page 16, line 37, by striking <4,319,345> and
35 inserting <2,540,791>
36 17. Page 17, line 11, by striking <2,004,393> and
37 inserting <1,179,055>
38 18. Page 17, line 30, by striking <1,700,000> and
39 inserting <1,000,000>
40 19. Page 17, line 33, by striking <18,971> and
41 inserting <11,160>
42 20. Page 17, line 35, by striking <142,699> and
43 inserting <83,941>
44 21. Page 17, line 47, by striking <11,599,246> and
45 inserting <6,823,086>
46 22. Page 17, line 50, by striking <9,239,861> and
47 inserting <5,435,213>
48 23. Page 18, line 3, by striking <5,852,650> and
49 inserting <3,442,735>
50 24. Page 18, line 6, by striking <4,671,013> and

H-1347

1 inserting <2,747,655>
2 25. Page 18, line 10, by striking <16,469,114> and
3 inserting <9,687,714>
4 26. Page 18, line 13, by striking <11,981,097> and
5 inserting <7,047,704>
6 27. Page 18, line 16, by striking <6,258,987> and
7 inserting <3,681,757>
8 28. Page 18, line 19, by striking <6,688,919> and
9 inserting <3,934,659>
10 29. Page 20, line 24, by striking <851,443> and
11 inserting <500,849>
12 30. Page 21, line 13, by striking <21,982,855> and
13 inserting <12,931,091>
14 31. Page 21, line 18, by striking <25,416,640> and
15 inserting <14,950,965>
16 32. Page 21, line 28, by striking <1,023,260> and
17 inserting <601,918>
18 33. Page 21, line 40, by striking <5,547,986> and
19 inserting <3,263,521>
20 34. Page 22, line 4, by striking <1,848,135> and
21 inserting <1,087,139>
22 35. Page 22, line 31, by striking <3,456,996> and
23 inserting <2,033,527>
24 36. Page 22, line 42, by striking <10,993,402> and
25 inserting <6,466,707>
26 37. Page 22, line 46, by striking <256,993> and
27 inserting <151,173>
28 38. Page 23, line 6, by striking <5,742,477> and
29 inserting <3,377,928>
30 39. Page 23, line 10, by striking <92,686> and
31 inserting <54,521>
32 40. Page 23, line 21, by striking <3,799,973> and
33 inserting <2,235,278>
34 41. Page 23, line 32, by striking <47,205,777> and
35 inserting <27,768,104>
36 42. Page 23, line 42, by striking <237,589> and
37 inserting <139,759>
38 43. Page 23, line 45, by striking <616,692> and
39 inserting <362,760>
40 44. Page 24, line 30, by striking <9,263,307> and
41 inserting <5,449,004>
42 45. Page 25, line 10, by striking <1,102,509> and
43 inserting <648,535>
44 46. Page 25, line 26, by striking <935,089> and
45 inserting <550,053>

By WORTHAN of Buena Vista

SENATE FILE 447

H-1348

1 Amend the amendment, H-1329, to Senate File 447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 22, after line 20 by inserting:

5 <Sec. _____. APPROPRIATION ---- AMMUNITION.

6 1. There is appropriated from the general fund of
7 the state to the department of public defense for the
8 fiscal year beginning July 1, 2013, and ending June 30,
9 2014, an amount sufficient, to be used for the purchase
10 of the following:

11 a. 15 million rounds of 7.62 x 51 millimeter
12 ammunition.

13 b. 15 million rounds of 223 Remington ammunition.

14 c. 4 million rounds of 9 x 19 millimeter
15 ammunition.

16 d. 2 million rounds of 45 Automatic Colt Pistol
17 ammunition.

18 e. 4 million rounds of 40 Smith and Wesson
19 ammunition.

20 2. The ammunition shall be purchased by the
21 department of public defense by June 30, 2014.

22 3. The ammunition purchased pursuant to this
23 section shall be stored at Camp Dodge under the
24 direction of the director of the department of public
25 defense.

26 4. The ammunition shall be made available for
27 purchase to the members of the Iowa unorganized militia
28 whether or not activated pursuant to section 29A.65.

29 5. The moneys collected from the sale of the
30 ammunition pursuant to this section shall be deposited
31 on a monthly basis in the general fund of the state.

32 6. The ammunition purchased pursuant to this
33 section shall not be sold and distributed to ammunition
34 retailers in the business of selling ammunition
35 prior to July 1, 2014. The ammunition shall be sold
36 at regular wholesale prices as determined by the
37 director of the department of public defense. The
38 sale and distribution of the ammunition shall occur
39 unless a concurrent resolution is approved by the
40 general assembly stopping sale and distribution of
41 such ammunition. If such a concurrent resolution is
42 approved, the department of public defense shall not
43 sell or distribute the ammunition but shall maintain
44 the ammunition until such time a simple resolution
45 is approved by either the senate or the house of
46 representatives approving the sale and distribution of
47 the ammunition at regular wholesale prices.

48 7. Notwithstanding section 8.33, moneys
49 appropriated in this section that remain unencumbered
50 or unobligated at the close of the fiscal year shall

H-1348

H-1348

Page 2

1 not revert but shall remain available for expenditure
2 for the purposes designated until the close of the
3 succeeding fiscal year.>

By SCHULTZ of Crawford

H-1348 FILED APRIL 23, 2013

SENATE FILE 447

H-1353

1 Amend the amendment, [H-1329](#), to [Senate File 447](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 23 by inserting:
5 <The office of attorney general may use a portion
6 of the funds appropriated in this lettered paragraph
7 to employ an agent of the division of criminal
8 investigation of the department of public safety to
9 investigate voter fraud.>

By M. SMITH of Marshall

H-1353 FILED APRIL 23, 2013

SENATE FILE 447

H-1355

1 Amend the amendment, [H-1329](#), to [Senate File 447](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 7, after line 11 by inserting:
5 <____. The department of corrections, in cooperation
6 with the attorney general's office, shall submit a
7 report to the co-chairpersons and ranking members of
8 the joint appropriations subcommittee on the justice
9 system, and the legislative agency, by January 15,
10 2014. The report shall detail the results of the
11 central pharmacy pilot project that utilizes the Iowa
12 prescription drug corporation's voucher program for
13 indigent offenders. The report shall include but
14 is not limited to the number of offenders annually
15 served by the pilot project, funding sources, and the
16 recidivism rates of offenders in the pilot project.>

17 2. Page 19, after line 31 by inserting:
18 <____. The department of corrections, in cooperation
19 with the attorney general's office, shall submit a
20 report to the co-chairpersons and ranking members of
21 the joint appropriations subcommittee on the justice
22 system, and the legislative agency, by January 15,
23 2015. The report shall detail the results of the
24 central pharmacy pilot project that utilizes the Iowa
25 prescription drug corporation's voucher program for
26 indigent offenders. The report shall include but shall
27 not be limited to the number of offenders annually
28 served by the pilot project, funding sources, and the
29 recidivism rates of offenders in the pilot project.>

By WORTHAN of Buena Vista

H-1355 FILED APRIL 23, 2013

SENATE FILE 447

H-1360

1 Amend the amendment, H-1329, to Senate File 447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, line 9, by striking <31,277,482> and
5 inserting <32,920,521>

6 2. Page 3, after line 9 by inserting:

7 <Of the amount appropriated in this lettered
8 paragraph and as a condition of the appropriation,
9 \$1,643,039 shall be used for the operation of the
10 Luster Heights prison camp.>

By RUFF of Clayton

THOMAS of Clayton

LUNDBY of Linn

T. TAYLOR of Linn

H-1360 FILED APRIL 23, 2013

SENATE FILE 447

H-1361

1 Amend the amendment, H-1329, to Senate File 447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 29, by striking lines 20 through 35 and
5 inserting <Notwithstanding section 8.33, or any other
6 provision of law to the contrary, the unencumbered
7 or unobligated balance of the cigarette fire safety
8 standard fund at the close of the fiscal year beginning
9 July 1, 2012, shall not revert but shall remain
10 available for expenditure for purposes of the regional
11 emergency response training centers, on an equal basis,
12 until the close of the succeeding fiscal year.>

13 2. Page 29, after line 43 by inserting:

14 <3. The section of this division relating to
15 reversion of moneys in the cigarette fire safety
16 standard fund.>

By WOOD of Scott

KRESSIG of Black Hawk

H-1361 FILED APRIL 23, 2013

SENATE FILE 447

H-1362

1 Amend the amendment, H-1329, to Senate File 447,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 33, after line 6 by inserting:

5 <Sec. _____. Section 29C.8, subsection 3, Code 2013,
6 is amended by adding the following new paragraph:

7 NEW PARAGRAPH. i. Provide that no less than fifty
8 percent of moneys received by the department through
9 the federal emergency management performance grant
10 program be distributed to local emergency management
11 agencies.>

12 2. By renumbering as necessary.

By HALL of Woodbury

H-1362 FILED APRIL 23, 2013

SENATE FILE 447

H-1363

1 Amend the amendment, [H-1329](#), to [Senate File 447](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 22, by striking <7,221,367> and
5 inserting <7,792,930>

By ANDERSON of Polk

H-1363 FILED APRIL 23, 2013

SENATE FILE 447

H-1364

1 Amend the amendment, [H-1329](#), to [Senate File 447](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 34, by striking <rape and sexual
5 assault> and inserting <sexual abuse>

6 2. Page 1, after line 43 by inserting:
7 <Notwithstanding section 8.33, moneys appropriated
8 in this lettered paragraph that remain unencumbered
9 or unobligated at the close of the fiscal year shall
10 not revert but shall remain available for expenditure
11 for the purposes designated until the close of the
12 succeeding fiscal year.>

By ANDERSON of Polk

H-1364 FILED APRIL 23, 2013

SENATE FILE 447

H-1365

1 Amend the amendment, [H-1329](#), to [Senate File 447](#),
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 30, by striking <2,876,400> and
5 inserting <8,876,400>

6 2. Page 1, after line 34 by inserting:
7 <Up to \$2,000,000 of the amount appropriated in this
8 lettered paragraph shall be used to provide grants to
9 care providers providing services to crime victims of
10 domestic abuse, or to crime victims of rape and sexual
11 assault, for the purpose of ensuring an orderly and
12 efficient transition of crime victim services to the
13 new regional reorganization plan, with priority given
14 to care providers that received a grant during the
15 previous fiscal year but did not receive a grant under
16 the new regional reorganization plan.>

By WOLFE of Clinton

DAWSON of Woodbury

ANDERSON of Polk

H-1365 FILED APRIL 23, 2013

Fiscal Note

Fiscal Services Division



HF 641 – Reinvestment Districts (LSB 2518HV)

Analyst: Shawn Snyder (Phone: (515) 281-7799) (shawn.snyder@legis.iowa.gov)

Fiscal Note Version – New

Description

House File 641 authorizes municipalities, with approval from the Iowa Economic Development Authority Board, to establish reinvestment districts. Additional provisions include:

- Specific requirements for establishment and approval of reinvestment district projects.
- Creation of a State Reinvestment District Fund. New state sales tax and state hotel and motel tax revenue will be deposited in the Fund. New state sales tax revenue is defined as 4/6th of state sales tax revenue from retailers within the district that receive a sales tax permit on or after the creation of the district. New state hotel and motel tax is defined as the total amount of state hotel/motel tax revenue from establishments within the District that receive a tax permit on or after the creation of the district.
- Creation of a Reinvestment Project Fund. Moneys in this Fund will consist of the state sales and hotel and motel tax revenues and are designated for the specific project for each municipality. Requires any monies remaining in the fund after project completion, or in excess of project costs, or upon the dissolution of a reinvestment district, to be deposited in the State General Fund.
- Limits the length of existence for a reinvestment district to 25 years after establishment,

Background

Currently, the state sales tax rate is 6.0% with 5/6th of the state sales tax revenue deposited in the State General Fund and 1/6th deposited in the Secure an Advanced Vision for Education (SAVE) Fund. The state hotel and motel tax rate is 5.0% of the price of renting of lodging.

Assumptions

The number, composition, and timing of reinvestment district projects are unknown. The following assumptions provide a scenario for different size reinvestment district projects that include one hotel, one restaurant, and two retail establishments.

- Data for the estimates was provided by the Department of Revenue's sales tax data base (including hotel/motel tax) for FY 2012. Average retail sales tax amounts excluded sales tax revenue from big box stores, large department stores, large home improvement stores, and automobile dealers. These entities were assumed to be too large based on the 50-acre maximum district size limitation. Additionally, average tax amounts remitted by restaurants, hotels, and motels in FY 2012 are used for each of the scenarios.
- Scenario one assumes a reinvestment district with an average size hotel (rental tax receipts ranging between \$100,000 and \$4.0 million in FY 2012), an average size restaurant establishment (tax sales of less than \$1.0 million in FY 2012), and two average size retail establishments in a city with a population of less than 10,000.
- Scenario two assumes a reinvestment district with a large size hotel (rental tax receipts of greater than \$4.0 million in FY 2012), a large size restaurant establishment (taxable sales above \$1.0 million in FY 2012), and two average size retail establishments in a city with a population larger than 10,000.

- It is assumed that this Bill will be effective July 1, 2013. Since the Iowa Economic Authority Board must establish and approve the reinvestment districts, and construction must be completed on the projects, any fiscal impact will not occur until FY 2015 at the earliest.
- Growth rates for sales and hotel/motel tax receipts were assumed to be 3.6% for FY 2015, 3.7% for FY 2016, and 2.7% for FY 2017 and FY 2018.
- State sales tax and state hotel and motel tax revenue deposited in the State Reinvestment District Fund is defined as “new” state tax revenue under this Bill. However, sales from retailers within the District, to some extent, will impact sales from retailers outside but near the reinvestment district. Any sales made within the district that would have occurred outside the district will result in net reduction of 4/6th of state sales tax that normally would be deposited in the State General Fund. This same issue applies to state hotel and motel tax revenue with any room rentals occurring inside the reinvestment district that reduce room rentals outside the district and will result in a net reduction in the state hotel/motel tax amount. This specific amount of these occurrences is unknown and is not reflected in the fiscal impact.
- The following table provides the taxable annual sales within the reinvestment district under the two scenario examples.

Taxable Sales Amounts within Reinvestment Districts - Two Scenarios		
	Scenario One	Scenario Two
Hotel	\$ 1,067,000	\$ 6,136,000
Restaurant	330,500	1,970,000
Two Retailers	834,000	1,232,000

Fiscal Impact

The estimated fiscal impact of HF 641 is unknown and will largely depend on the number, composition, and timing of reinvestment district projects. Additionally, taxable sales outside of reinvestment districts may be negatively impacted if consumers choose to purchase goods or services within the reinvestment districts instead.

The following table provides the estimated impact of each of the scenarios noted in the assumptions section. Under scenario one, tax revenue diverted to the Reinvestment Fund will total approximately \$104,000 in the initial year with modest growth moving forward. Under scenario two, tax revenue diverted to the Reinvestment Fund will total approximately \$451,000 in the initial year and reach a total of \$493,000 by FY 2018.

Reinvestment District Fund Revenues/State General Fund				
Scenario One Example				
	State Hotel/Motel Tax	State Sales Tax	Total	
FY 2015	\$ 55,271	\$ 48,257	\$	103,527
FY 2016	57,316	50,042		107,358
FY 2017	58,863	51,394		110,257
FY 2018	60,452	52,781		113,234
Scenario Two Example				
	State Hotel/Motel Tax	State Sales Tax	Total	
FY 2015	\$ 317,845	\$ 132,691	\$	450,536
FY 2016	329,605	137,600		467,206
FY 2017	338,504	141,316		479,820
FY 2018	347,644	145,131		492,775

The Department of Revenue indicates that it would incur administrative costs to implement this Bill. Start-up costs for staff and technological improvements are estimated to be \$250,000 for the first year, and \$180,000 for following years for 2.0 FTE positions to manage and monitor transactions.

Source

Iowa Department of Revenue

/s/ Holly M. Lyons

April 23, 2013

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
